

USDC UT Approved 06/06/00 Revised 11/03/00

FILED  
CLERK, U.S. DISTRICT COURTUnited States District Court  
District of UtahFEB 02 PM 2:08  
DISTRICT OF UTAH

UNITED STATES OF AMERICA

vs.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

DEPUTY CLERK

Michael Fatali

Case Number: 2:01-CR-000609 SA

Plaintiff Attorney: Wayne Dance

Defendant Attorney: Christine Rogers

Atty: CJA \_\_\_ Ret ☒ FPD \_\_\_

Defendant's Soc. Sec. No.: 526-69-7583

Defendant's Date of Birth: 10/01/1965

Defendant's USM No.: \_\_\_\_\_

Defendant's Residence Address:

38 East Main Street

Rockville UT 84763

Country USA

02/01/2001

Date of Imposition of Sentence

Entered on docket

by: 2502

Deputy Clerk

Defendant's Mailing Address:

SAME

Country \_\_\_\_\_

THE DEFENDANT:

☒ pleaded guilty to count(s)☐ pleaded nolo contendere to count(s)  
which was accepted by the court.☐ was found guilty on count(s)

COP 12/07/2001 Verdict \_\_\_\_\_

1,2,3,4,5,6,7 of the Misdemeanor Information

Title & SectionNature of OffenseCount  
Number(s)

36 CFR 2.1(a)(1)(iv)

2.13(a)(1) and 3

Injuring or Defacing Mineral Resources In a National Park

1-3

36 CFR 2.13(a)(1) and 3

Lighting or Using a Fire that Damages/Burns National Park Resources

4

18 USC §1856 &amp; 2

Leaving a Fire Unextinguished on Public Lands

5

18 USC §1856 &amp; 2

Lighting and/or Using a Fire that Damages and Burned Park Resources

6-7

☐ The defendant has been found not guilty on count(s)☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.

## SENTENCE

Pursuant to the Sentencing Reform Act of 1984, it is the judgment and order of the Court that the defendant be committed to the custody of the United States Bureau of Prisons for a term of \_\_\_\_\_

Upon release from confinement, the defendant shall be placed on supervised release for a term of \_\_\_\_\_

☒ The defendant is placed on Probation for a period of 24 Months.  
The defendant shall not illegally possess a controlled substance.

17

Defendant: Michael Fatali  
Case Number: 2:01-CR-000609 SA

Page 2 of 5

*For offenses committed on or after September 13, 1994:*

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☒ The above drug testing condition is suspended based on the court's determination that the defendant possesses a low risk of future substance abuse. (Check if applicable.)

### **SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION**

In addition to all Standard Conditions of (Supervised Release or Probation) set forth in PROBATION FORM 7A, the following Special Conditions are imposed: (see attachment if necessary)

1. The defendant shall complete 150 hours of community service. All community service must be pre-approved by the USPO. The 150 hours shall be completed within the 2 year term of probation.
2. The defendant shall not enter or be within the boundaries of **Arches National Park** or **Canyonlands National Park** during the term of probation.

### **CRIMINAL MONETARY PENALTIES**

#### **FINE**

The defendant shall pay a fine in the amount of \$ \_\_\_\_\_, payable as follows:

- ☐ forthwith.
- ☐ in accordance with the Bureau of Prison's Financial Responsibility Program while incarcerated and thereafter pursuant to a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ in accordance with a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ other:
- 

- ☐ The defendant shall pay interest on any fine more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f).

- ☐ The court determines that the defendant does not have the ability to pay interest and pursuant to 18 U.S.C. § 3612(f)(3), **it is ordered that:**

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:
-

Defendant: Michael Fatali  
Case Number: 2:01-CR-000609 SA

Page 3 of 5

### RESTITUTION

The defendant shall make restitution to the following payees in the amounts listed below:

<u>Name and Address of Payee</u>	<u>Amount of Loss</u>	<u>Amount of Restitution Ordered</u>
National Park Service Arches National Park Moab, Utah	10,922.90	10,922.90

**\*\* Restitution has been satisfied \*\***

**Totals: \$ 10,922.90 \$ 10,922.90**

(See attachment if necessary.) All restitution payments must be made through the Clerk of Court, unless directed otherwise. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless otherwise specified.

☐ Restitution is payable as follows:

☐ in accordance with a schedule established by the U.S. Probation Office, based upon the defendant's ability to pay and with the approval of the court.

☐ other:

☐ The defendant having been convicted of an offense described in 18 U.S.C. § 3663A(c) and committed on or after 04/25/1996, determination of mandatory restitution is continued until \_\_\_\_\_ pursuant to 18 U.S.C. § 3664(d)(5)(not to exceed 90 days after sentencing).

☐ An Amended Judgment in a Criminal Case will be entered after such determination

### SPECIAL ASSESSMENT

The defendant shall pay a special assessment in the amount of \$ 70.00, payable as follows:

☒ forthwith.

☐ \_\_\_\_\_

**IT IS ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid

### PRESENTENCE REPORT/OBJECTIONS

The court adopts the factual findings and guidelines application recommended in the presentence report except as otherwise stated in open court.

Defendant: Michael Fatali  
Case Number: 2:01-CR-000609 SA

Page 4 of 5

**RECOMMENDATION**

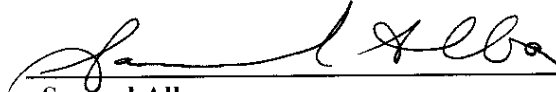
- ☐ Pursuant to 18 U.S.C. § 3621(b)(4), the Court makes the following recommendations to the Bureau of Prisons:
- 

**CUSTODY/SURRENDER**

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district at \_\_\_\_\_ on \_\_\_\_\_.
- ☐ The defendant shall report to the institution designated by the Bureau of Prisons by \_\_\_\_\_ Institution's local time, on \_\_\_\_\_.

DATE:

2/1/02

  
\_\_\_\_\_  
Samuel Alba  
United States District Judge

Defendant: Michael Fatali  
Case Number: 2:01-CR-000609 SA

Page 5 of 5

**RETURN**

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
Deputy U.S. Marshal

alt

United States District Court  
for the  
District of Utah  
February 5, 2002

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:01-cr-00609

True and correct copies of the attached were either mailed or faxed by the clerk to the following:

Wayne Dance, Esq.  
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,  
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